

UNITED STATES PATENT AND TRADEMARK OFFICE**PATENT**

In re: Kevin W. Smith Confirmation No.: 8879
Serial No.: 09/854,812 Examiner: Unknown
Filing Date: May 14, 2001 Group Art Unit: 3739
Docket No.: 1001.1451103 Customer No.: 28075
For: POLYPECTOMY SNARE INSTRUMENT

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REQUEST FOR REFUND

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 (1)(B)) I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at 703-872-9306 on the date shown below. Kathleen L. Bockley Type or print name of person signing certification <i>Kathleen L. Bockley</i> June 1, 2005 Signature Date	
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Dear Sir:

Applicants have reviewed charges totaling \$960 (\$240 and \$720) for this application which appears on the April 2005 Monthly Deposit Account Statement. A copy of the first and second pages of the Statement is attached. The fee codes on the Statement indicate claim fees which had not been paid. However, Applicant asserts that all excess claim fees were paid at the time of original filing. The continuation application cancelled claims 2-41. A Preliminary Amendment was filed as part of the continuation application and cancelled claim 1 while adding 20 new claims which included 4 independent claims, making the total filing fee \$790. Applicants included a check for \$790 for fees at the time of filing the Continuation Application.

Applicants then submitted a reconstructed file including a copy of the Continuation application with the Preliminary Amendment on March 4, 2005 because there had been no

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Appl. No. 09/854,812

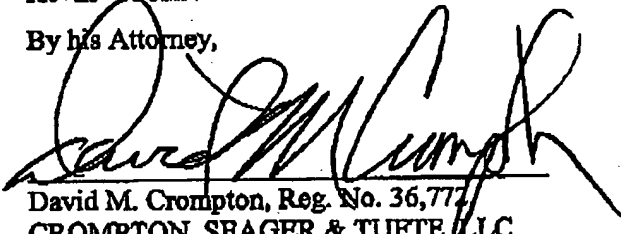
Req. Refund dated June 1, 2005

communication at all from the Patent Office regarding this application other than Postcard Receipts for the various filings initiated by the Applicant. Upon submission of the reconstructed file, fees were charged to the Deposit Account based on the current fee schedule and without consideration of the claims changes made in the Continuation Application and Preliminary Amendment. However, since there were no changes to the application, only reconstruction of all that which had already been submitted, there should have been no fees due at the time of submission of the reconstructed file. Therefore, Applicants hereby request that Deposit Account No. 50-0413 be credited in the amount of \$960.

Respectfully submitted,

Kevin W. Smith

By his Attorney,

Date: 6/1/05

David M. Crompton, Reg. No. 36,772
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349



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Deposit Account Statement

Requested Statement Month: April 2005
Deposit Account Number: 500413
Name: CROMPTON SEAGER & TUFTE LLC
Attention: DAVID M CROMPTON
Address: 1221 NICOLLET AVENUE
City: MINNEAPOLIS
State: MN
Zip: 55403-2420
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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Application Number Information

Application Number: 09/854812

Examiner Number: 00000 /

Assignments

Filing or 371(c) Date: 05/14/2001

Group Art Unit: 3739

IFW IMAGE

Effective Date: 05/14/2001

Class/Subclass: 600/104.000

Application Received: 05/15/2001

Lost Case: NO

Patent Number:

Interference Number:

Issue Date: 00/00/0000

Unmatched Petition: NO

Date of Abandonment: 00/00/0000

L&R Code: Secrecy Code:1

Attorney Docket Number: 1001.1451103

Third Level Review: NO

Secrecy Order: NO

Status: 20 /APPLICATION DISPATCHED FROM PREEXAM, NOT
YET DOCKETED

Status Date: 04/07/2005

Confirmation Number: 8879

Oral Hearing: NO

Title of Invention: POLYPECTOMY SNARE INSTRUMENT

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FROM: David M. Crompton

OUR REF: 1001.1451103
TELEPHONE: 612-677-9050

Total pages, including cover letter: 5

PTO FAX NUMBER: 703-872-9306

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Filed: May 14, 2001
Group Art Unit: 3739
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Confirmation No.: 8879
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01 FC:101 710.00 OP
02 FC:102 80.00 OP

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1 FC:1202 EL 720.00 DB
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Void date: 03/23/2005 SDIRETA1
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Adjustment Date: 07/07/2005 SDIRETA1
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